

JULY 19, 2004

The regularly scheduled meeting of the Mansfield Township Planning Board was called to order by Chairman William Mannon at 7:30 PM.

The meeting was opened by stating that adequate notice of this regular meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this regular meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Star Gazette and The Express Times;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

The Pledge of Allegiance was recited.

New member, Jeff Marcioni, was sworn in by Board Attorney William Edleston.

Present: Mannon, Barton, Watters, Lunghi, Marcioni, Myers, Vaezi.

Absent: Baldwin, Hazen.

Also present: Douglas Mace, P.E.; William Edleston, Esquire.

The Chairman announced that the Mansfield Township Planning Board member Frank LeClair lost his battle with cancer. Mannon stated that LeClair served faithfully over the years, and would be dearly missed. The Chairman called for a moment of silence in memory of Frank LeClair.

Regarding the minutes of the June 21, 2004 meeting, Watters questioned if Hazen and Baldwin shouldn't have been included in the votes for the Hummel and Mikitik cases. Upon review of the minutes from the May meeting, it was determined that Hazen had recused himself from the Mikitik case, and Baldwin had recused himself from the Hummel case, thus they would be ineligible to vote on the resolutions.

MOTION was made by **BARTON** to approve the minutes of the June 21, 2004 meeting, as written.

SECONDED: MYERS.

Lunghi announced that he had listened to the tapes from the June 21, 2004 meeting.

Those in favor: Barton, Watters, Lunghi, Myers, Vaezi, Mannon.

Opposed: None.

Abstained: Marcioni.

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MOTION was made by **WATTERS** to approve the resolution for Case #04-06, Borealis, as written.

SECONDED: MYERS.

Those in favor: Watters, Lunghi, Myers, Vaezi, Barton, Mannon.

Opposed: None.

Abstained: None.

MOTION was made by **BARTON** to approve the resolution for the extension request for Nichem Company, as written.

SECONDED: MYERS.

Those in favor: Myers, Vaezi, Barton, Watters, Lunghi, Mannon.

Opposed: None.

Abstained: None.

Case #03-02, RJDD, LLC

Present for the applicant: Jason Sobel, Esquire; Eugene Weber, P.E.; David Delseni, Principal.

Due to the length and complexity of the case, Edleston stated that the resolution was not yet available.

Sobel requested that a vote be taken without the benefit of having seen the resolution. Sobel stated that the time had run out, and action was required at this point. Sobel stated that the applicant was unwilling to grant further time extensions.

Mannon stated that the Planning Board and the general public had had ample opportunity during the course of six or seven months of public hearings to review the application, and give comments and have questions answered.

Mace stated that any approval granted by the Planning Board would be subject to third party agency reviews, and should changes be necessary, the applicant would have to return to the board.

Edleston stated that the board members would have an opportunity to comment on the conditions of the resolution prior to the memorialization next month.

MOTION was made by **MYERS** to approve the preliminary major subdivision and waivers for Case #03-02, RJDD, LLC, subject to the conditions discussed at the hearings, and the comments in the review letter issued by Mace Consulting Engineers.

SECONDED: VAEZI.

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Those in favor: Vaezi, Watters, Lunghi, Myers, Mannon.
Opposed: Barton.
Abstained: None.

Sobel requested that the forty-five day appeal period begin after tonight's meeting. Edleston explained that the normal procedure was for the forty-five day appeal period to begin after the notice of action was published. Edleston stated that the Secretary publishes the notice of action after the resolution is memorialized.

Case #04-01, Eden Mansfield, LLC

Present for the applicant: Michael Lavery, Esquire.

Lunghi recused himself from the application.

Lavery explained that their revisions were not received prior to the deadline set by the Planning Board, but he requested a completeness hearing anyway.

MOTION was made by **WATTERS** to deem the application for Case #04-01, Eden Mansfield, LLC complete, and to schedule the public hearing for the next regular meeting.
SECONDED: BARTON.

Those in favor: Barton, Watters, Marcioni, Myers, Vaezi, Mannon.
Opposed: None.
Abstained: None.

Lavery stated that notice was done, but Washington Township, Morris County, was overlooked. Lavery requested that the completed notice be carried, and they would complete the additional Washington Township notices.

Edleston announced that no further notice would be given, except for those property owners within 200' and located in Washington Township. Edleston announced that the matter would be carried to the meeting of August 16, 2004 at 7:30 PM.

Under old business, Mannon stated that he received the Cross Acceptance question and answer report from Joe Layton, P.E. Mannon reported that a meeting had been held at the Warren County Vocational Technical School, and that there were several issues that were of a concern to the Planning and Zoning Boards. Mannon stated that he would keep the board informed of other meetings.

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Mannon announced that the board was in receipt of a letter from Donna Blaszcak regarding Case #03-02, RJDD, LLC, but the letter was received after the public portion of the meeting had been adjourned. Mannon stated that the public hearings for that case had gone on for several months.

MOTION was made by **MYERS** to adjourn the meeting at 8:15 PM.
SECONDED: BARTON.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary